

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KEVINO W. GRAHAM

v.

UNITED STATES SENTENCING  
COMMISSION

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CIVIL ACTION

NO. 16-3583

FILED

JUL 14 2016

MICHAEL E. KUNZ, Clerk  
By \_\_\_\_\_ Dep. Clerk

ORDER

AND NOW, this 14<sup>th</sup> day of July, 2016, upon consideration of plaintiff's motion to proceed *in forma pauperis*, his *pro se* complaint, and his motion for leave to file an amended complaint, it is ORDERED that:

1. Leave to proceed *in forma pauperis* is GRANTED.
2. Plaintiff, Kevino W. Graham, #71796-066, shall pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b). Based on the financial information provided by plaintiff, an initial partial filing fee of \$31.50 is assessed. The Warden or other appropriate official at the Federal Detention Center or at any other prison at which plaintiff may be incarcerated is directed to deduct \$31.50 from plaintiff's inmate trust fund account, when such funds become available, and forward that amount to the Clerk of the United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Room 2609, Philadelphia, PA 19106, to be credited to Civil Action No. 16-3583. After the initial partial filing fee is collected and until the full filing fee is paid, the Warden or other appropriate official at the Federal Detention Center or at any other prison at which plaintiff may be incarcerated, shall deduct from plaintiff's account, each time that plaintiff's inmate trust fund account exceeds \$10, an amount no greater than 20 percent of the money credited to his account during the preceding month and forward

that amount to the Clerk of Court at the address provided above to be credited to Civil Action No. 16-3583.

3. The complaint is DISMISSED with prejudice as legally frivolous, pursuant to 28 U.S.C. § 1915(e)(2)(B)(i), for the reasons discussed in the Court's memorandum.

4. The motion for leave to file an amended complaint (Document No. 3) is DENIED.

5. The Clerk of Court is directed to send a copy of this order to the Warden of the Federal Detention Center in Philadelphia.

6. The Clerk of Court shall CLOSE this case.

**BY THE COURT:**

  
LAWRENCE F. STENGEL, J.